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Successor by Merger to BAC Home Loans Servicing,
LP, f/k/a Countrywide Home Loans Servicing, LP*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BANK OF AMERICA, N.A., SUCCESSOR BY
MERGER TO BAC HOME LOANS
SERVICING, LP, FKA COUNTRYWIDE
HOME LOANS SERVICING LP,

Plaintiff,

vs.

MESA AND VALLA AT MOUNTAIN'S EDGE
HOMEOWNERS' ASSOCIATION; PREMIER
ONE HOLDINGS, INC.; LJS&G, LTD., D/B/A
LEACH JOHNSON SONG & GRUCHOW;
KUIHUA WANG; and WANBIAO LI,

Defendants.

Case No.: 2:16-cv-00508-RFB-EJY

**JOINT STATUS REPORT REGARDING
SETTLEMENT**

Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP, f/k/a Countrywide Home Loans Servicing, LP (**BANA**), Mesa and Valla at Mountain's Edge Homeowners' Association (**HOA**), Kuihua Wang, and Wanbiao Li submit this joint status report to advise the court regarding the status of settlement. A global resolution of this matter is nearly complete. The bankruptcy court approved the settlement between BANA and Premier One Holdings Inc. and recently terminated the automatic stay in favor of BANA. **Ex. 1.** BANA also settled with the HOA which was

contingent on the bankruptcy court terminating the automatic stay. The HOA recently executed the settlement agreement and BANA anticipates execution in the next two weeks. The parties anticipate filing a stipulated judgment upon execution and fulfilment of terms of the BANA/HOA settlement agreement. The parties request the court issue another minute order, ordering a stipulated judgment, other dismissal documents, or a joint status report be filed on or before May 31, 2023.

DATED this 31st day of March, 2023.

AKERMAN LLP <u>/s/ Scott R. Lachman</u> MELANIE D. MORGAN, ESQ. Nevada Bar No. 8215 SCOTT R. LACHMAN, ESQ. Nevada Bar No. 12016 1635 Village Center Cir., Suite 200 Las Vegas, Nevada 89134 Attorneys for Bank of America, N.A.	TYSON & MENDES, LLP <u>/s/ Christopher A. Lund</u> THOMAS E. MCGRATH Nevada Bar No. 7086 CHRISTOPHER A. LUND Nevada Bar No. 12435 2835 St. Rose Pkwy, Suite 140 Henderson, NV 89052 Attorneys for Mesa and Valla at Mountain's Edge Homeowners' Association
MORRIS LAW CENTER <u>/s/ Timothy A. Wiseman</u> SARAH A. MORRIS, ESQ. Nevada Bar No. 8461 TIMOTHY A. WISEMAN, ESQ. Nevada Bar No. 13786 5450 W. Sahara Ave., Suite 330 Las Vegas, Nevada 89146 Attorneys for Kuihua Wang and Wanbiao Li	

IT IS SO ORDERED.


RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

Case No. 2:16-cv-00508-RFB-EJY

DATED: March 31, 2023.

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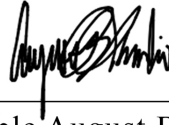
INDEX OF EXHIBITS

Exhibit 1 Order Approving Stipulation to Terminate Stay

EXHIBIT 1

ORDER APPROVING STIPULATION TO TERMINATE STAY

EXHIBIT 1



Honorable August B. Landis
United States Bankruptcy Judge



Entered on Docket
March 06, 2023

BRIAN D. SHAPIRO, ESQ.
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Attorney for Trustee

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

PREMIER ONE HOLDINGS,
INC.

Debtor(s).

Case No. 22-10734-ABL
Chapter 7

**ORDER APPROVING STIPULATION TO
TERMINATE STAY**

BRIAN D. SHAPIRO, Trustee ("**Trustee**"), by and through the Law Office of Brian D. Shapiro, LLC and Bank of America, N.A. ("**BANA**") by and through its counsel Scott Lachman, Esq. of Akerman LLP having entered into a stipulation to terminate stay that was required to be submitted pursuant to a settlement agreement which was approved by the Bankruptcy Court by Court Order on February 21, 2023. The Court having reviewed the stipulation, good cause appearing therefore it is hereby

1 ORDERED, that the stipulation to terminate stay, a filed stamp copy of which is attached
2 hereto as Exhibit 1 (“Stipulation”), is approved. It is further

3 ORDERED, that in accordance with the Stipulation, the automatic stay contained within
4 11 USC §362 is hereby terminated in favor of BANA so that it may proceed in the Litigation and
5 foreclose on its Loan on the Real Property as those terms are defined in the Stipulation.
6

7
8 SUBMITTED BY:

9 LAW OFFICE OF BRIAN D. SHAPIRO
10

11 By: /s/ Brian D. Shapiro
12 BRIAN D. SHAPIRO, ESQ.
13 Law Office of Brian D. Shapiro, LLC
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EXHIBIT 1

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Attorney for Trustee

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

PREMIER ONE HOLDINGS,
INC.

Debtor(s).

Case No. 22-10734-ABL
Chapter 7

STIPULATION TO TERMINATE STAY

BRIAN D. SHAPIRO, Trustee (“Trustee”), by and through the Law Office of Brian D. Shapiro, LLC and Bank of America, N.A. (“BANA”) by and through its counsel Scott Lachman, Esq. of Akerman LLP hereby state:

WHEREAS, BANA is the beneficiary of record of a deed of trust recorded with the Clark County Recorder on January 23, 2009 as Instrument Number 20090123-0001786) to secure a promissory note in the original principal amount of \$286,157 (the promissory note and deed of trust are collectively referred to herein as the “Loan”) against the property located at 7316 Childers Avenue, Las Vegas, NV 89178 (“Real Property”).

1 WHEREAS, the Debtor acquired the Real Property based upon a HOA sale and
2 foreclosure deed recorded with the Clark County Recorder on September 17, 2013 as Instrument
3 No. 20130917-0001655.

4 WHEREAS, on March 8, 2016, BANA initiated a lawsuit against the Debtor, among
5 others, in the United States District Court, District of Nevada with case number 2:16-cv-00508
6 (“**Litigation**”).

7
8 WHEREAS, on March 2, 2022, the Debtor filed a Chapter 7 Voluntary Bankruptcy
9 petition within the United States Bankruptcy Court, District of Nevada (“**Bankruptcy Court**”)
10 with case number 22-10734-abl (“**Bankruptcy Case**”).

11 WHEREAS, Brian D. Shapiro is the Trustee of the Bankruptcy Case.

12
13 WHEREAS, the Trustee and BANA resolved the Litigation through a settlement
14 agreement (“**Settlement Agreement**”) which was approved by the Bankruptcy Court by Court
15 Order on February 21, 2023. (“**Settlement Order**”).

16 WHEREAS, pursuant to the Settlement Agreement, the Trustee of the Bankruptcy Case
17 agreed to enter into a stipulation to terminate the stay in favor of BANA so that it may obtain an
18 applicable order in the Litigation and foreclose on its Loan on the Real Property.
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NOW THEREFORE, IT IS HEREBY AGREED:

1. The above recitals are incorporated herein as if fully set forth herein.
2. In accordance with the terms of the Settlement Agreement, the automatic stay contained within 11 USC §362 is hereby terminated in favor of BANA so that it may proceed in the Litigation and foreclose on its Loan on the Real Property.
3. The Trustee is authorized to file this stipulation with the Bankruptcy Court and obtain an order by exparte request to approve this stipulation with the Bankruptcy Court.

AKERMAN LLP

LAW OFFICE OF BRIAN D. SHAPIRO

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